

EXHIBIT 5

**UNITED STATES DISTRICT COURT
DISTRICT COURT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

Case No. 18-cv-01776 (JRT-HB)

This Document Relates To:

THE DIRECT PURCHASER
PLAINTIFF ACTION

**DECLARATION OF DEAN
BARCELONA IN SUPPORT OF
DIRECT PURCHASER
PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION**

I, Dean Barcelona, declare as follows:

1. I am a Vice President and General Manager for Ferraro Foods, Inc. and Ferraro Foods, North Carolina ("Ferraro"), named Plaintiffs and proposed Class Representatives in this class action. I make this declaration in support of Direct Purchaser Plaintiffs' motion for class certification. I have personal knowledge of the facts stated in this declaration and, if called as a witness, I could competently testify to them.

2. I live in Annandale, New Jersey and have worked for Ferraro for 35 years.

3. Ferraro purchased Pork, as that term is defined in the motion for class certification, from one or more of the Defendants in this lawsuit on approximately a daily basis during the class period. The Pork Ferraro purchased from Defendants during this time included ham, pepperoni, pork sausage, and breaded pork.

4. Ferraro is seeking the Court's appointment as two of the Class Representatives on behalf of themselves and others who purchased Pork from at least one of the Defendants during the Class Period. Ferraro was appointed by this Court as Class Representative Plaintiffs for each of the two settlements with the JBS and Smithfield defendants. Since the filing of the complaint, Ferraro has represented the interests of all entities who purchased Pork directly from the Defendants during the Class Period, and will continue to do so.

5. I understand that, if appointed as Class Representatives, Ferraro would represent the interests of all entities who purchased Pork directly from the Defendants during the Class Period. I also understand that Ferraro's obligations as a Class Representative include acting in the best interests of the entire Class and to continue to

assist counsel for the Class. Ferraro is fully prepared to undertake these obligations and there are no impediments to its doing so.

6. Ferraro has participated fully in the litigation. Ferraro has spent considerable time dedicated to this litigation. Prior to the filing of the Direct Purchaser complaint on June 29, 2018, Ferraro provided information for and reviewed the complaint. Ferraro has actively participated in the litigation since the filing of the complaint. Below is a summary of the types of work performed by Ferraro, along with an estimate of the number of hours dedicated to those activities:

- Communicating with Counsel regarding the progress of the litigation and necessary discovery (approximately 40 hours);
- Reviewing and approving pleadings including the Complaint and discovery response (approximately 25 hours);
- Reviewing and responding to written discovery including interrogatories, requests for production of documents, and requests for admissions (approximately 8 hours);
- Searching for, collecting, preserving, and producing documents (approximately 40 hours); and
- Reviewing and approving the two settlements to date, with the JBS and Smithfield defendants (approximately 3 hours).

7. In total I estimate the Ferraro has spent 116 hours working on this case to date. Ferraro had to divert resources from other business matters in order to complete this process and compensated its employees during the times that they were working on issues relating to the litigation.

8. It is my understanding that this action could not have been prosecuted and filed, and the class settlements would not have been obtained, without class representatives.

In choosing to sign up and bring this case as class representatives, Ferraro considered the risks associated with bringing this lawsuit against the Pork producers who are key suppliers for Ferraro.

9. Ferraro believes that Lockridge Grindal Nauen P.L.L.P. and Pearson, Simon & Warshaw, LLP are qualified and well-suited for appointment as Class Counsel and fully supports this request.

10. Ferraro respectfully requests that this Court grant the Direct Purchaser Plaintiffs' Motion for Class Certification and appoint it as a representative of the Direct Purchaser Plaintiff Class and Lockridge Grindal Nauen P.L.L.P. and Pearson, Simon & Warshaw, LLP as Class Counsel.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 22 day of April, 2022, at Piscataway, New Jersey.

A handwritten signature in blue ink, appearing to read "Dean Barcelona", is written over a horizontal line.

Dean Barcelona
Vice President & General Manager
Ferraro Foods, Inc.